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10/649,957	08/28/2003	Kouki Shibao	03500.017507.	7095

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
PHAM, THIERRY L

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2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<table>
<tr><td rowspan="3">Office Action Summary</td><td>Application No.
10/649,957</td><td>Applicant(s)
SHIBAO, KOUKI</td></tr>
<tr><td>Examiner
THIERRY L. PHAM</td><td>Art Unit
2625</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 January 2009*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8, 10-21 and 59* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-8, 10-16, 20, 21 and 59* is/are rejected.
7)☒ Claim(s) *17-19* is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

● This action is responsive to the RCE filed on 1/30/2009.

● Claims 1-8, 10-21, and 59 are currently pending; claims 9, 22-58 have been canceled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/30/2009 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-8, 10-16, 20-21, and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwase et al (US 6724492), and in view of Kato et al (US 5956557).

Regarding claim 1, Iwase discloses an image processing apparatus (digital copier 1, fig. 1) comprising:

a reading unit (scanner section 11, fig. 2) configured to read an image on an original and generate image data based on the read image;

an image forming unit (printer section 12, fig. 2) configured to form an image on a recording medium;

a communication unit (network I/F 17, fig. 2) configured to transmit and receive image data through a communication medium;

a first managing unit (user management means, fig. 7) configured to manage a user by an ID (user identification, fig. 7)) capable of specifying the user;

a first setting unit (control panel 20, fig. 2) configured to set an image processing mode from among a plurality of image processing modes (plurality of processing modes, fig. 12 and fig. 14);

a control unit (CPU 13, fig. 2) configured to control said reading unit or said communication unit in order to perform an image input process (input images processes, fig. 14-18), and to control said image forming unit or said communication unit in order to perform an image output process (output images processes as shown in figs. 14-18), according to the image processing mode set by said first setting unit;

a second managing unit (control panel 20, fig. 2) configured to classify each of the image input processes and the image output processes (classifying input and output parameters into plurality of settings forms that enable users/operators to select the print settings, for example, density, number of copies, and etc can be selected via using the control panel as shown in figs. 12-19) into a plurality of kinds (e.g. ordinary print or trial print, fig. 5 & 23), and to manage, with respect to each of the IDs (classifying print jobs into plurality of modes with respect to user's ID, fig. 23), an amount of image (e.g. number of printed pages with respect to each user's ID, fig. 5) which has been processed in each of the plurality of kinds;

a second setting unit (keypad 249 and "increase, decrease icon", figs. 14-19) configured to set, with respect to each of the IDS (user's ID, fig. 5), an upper limit value (e.g. high limit value, figs. 14-19, col. 12, lines 54-61) that is allowed to be processed in each of the plurality of kinds (e.g. density, color saturation, fig. 18 for ordinary print or trial print modes, fig. 5 & 23); and

a selecting unit (selects via control panel display, figs. 12-19) configured to select, from among the plurality of kinds (from among plurality of print processes/parameters, figs. 14-19), a kind corresponding to an image input process (e.g. input processes such as density and color saturation settings, fig. 18) and a kind corresponding to an image output process (e.g. number of pages to be printed, fig. 17 or sorting function as shown in fig. 15), both the kind corresponding to the image input process and the kind corresponding

to the image output process being related to the image processing mode (monochrome or color print modes, col. 12, lines 36-45) set by said first setting unit.

a display control unit (display input 20a, fig. 2 & fig. 14) configured to (e.g. density, number of copies, and etc, figs. 14-19 for print modes) display information indicating the upper limit value (print settings has a upper limit value and lower limit value, e.g., fig. 18, col. 12, lines 54-61) corresponding to at least one kind the selected by said selecting unit on a display unit.

Iwase teaches a method for allowing user to select upper limit and lower limit values with respect to plurality of processes (e.g. density, color saturation), but Iwase fails to teach and/or suggest the method of setting the upper limit value indicating the amount of image data that is allowed to be processed.

Kato, in the same field of endeavor for image processing apparatus (copier machine), teaches a well-known method of setting the upper limit value indicating the amount of image data that is allowed (upper limit value of number of copies authorized per user ID, step S104, fig. 6, col. 2, lines 35-37, and col. 3, lines 25-27, and col. 7, lines 16-20) to be processed.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify image processing apparatus of Iwase to include a method of setting the upper limit value indicating the amount of image data that is allowed to be processed and to display the information indicating the managed amount of image and upper limit value as taught by Kato because of a following reason: (●) by administering the upper limit value with respect to the number of allowed pages to be copied or printed per user ID preventing users/operators from making unauthorized use of resources (e.g. papers, inks) beyond the authorized/approved upper limit value.

Therefore, it would have been obvious to combine Iwase with Kato to obtain the invention as specified in claim 1.

Regarding claim 2, Iwase further teaches an apparatus according to claim 1, wherein said control unit selects (selects via control panel display, figs. 12-19), from among the plurality of kinds, a first kind corresponding to the image input process (e.g.

density for photograph mode, fig. 14) performed in the image processing mode (e.g. photograph mode 245, fig. 14 or monochrome or color modes, col. 12, lines 36-45) set by said first setting unit and a second kind corresponding to the image output process (each mode has a number of page to be outputted/printed, fig. 15) performed in the image processing mode set by said first setting unit.

Regarding claim 3, Kato further discloses an apparatus according to claim 2, wherein said display selecting unit further selects, from among the first kind and the second kind, a kind that the amount of image which has been processed is closer to the upper limit value (upper limit value with respect to number of pages, col. 2, lines 35-37).

Regarding claim 4, combination of Iwase and Kato teach an apparatus according to claim 2, wherein, in a case where unit both the first kind and the second kind are selected, said display control unit displays (displays via control panel as shown in fig. 14 of Iwase) both information indicating the managed amount of image and the upper limit value (upper limit value with respect to number of pages as teaching of Kato, col. 2, lines 35-37) corresponding to the first kind and information indicating the managed amount of image and the upper limit value corresponding to the second kind.

Regarding claim 5, Kato further teaches an apparatus according to claim 1, wherein, in a case where said selecting unit selects a plurality of kinds, and the number of the selected plurality of kinds exceeds a number capable of being actually displayed on the display unit, said display control unit displays information indicating the managed amount of image and the upper limit value (col. 2, lines 35-37, and col. 3, lines 25-27, and col. 7, lines 16-20) corresponding to the kind that the amount of image which has been processed is closer to the upper limit value on a display unit.

Regarding claim 6, Iwase further teaches an apparatus according to claim 1, wherein said second managing unit classifies each of the image input process and the

image output process into the plural kinds including distinction of a black-and-white mode and a color mode (monochrome and color print modes, col. 12, lines 36-45).

Regarding claim 7, Iwase further teaches an apparatus according to claim 6, wherein, in a case where an undecided image processing mode (not all processing modes are selected for processing, figs. 12-18) that it is not decided whether the image input process and the image output process are performed in the black-and-white mode or the color mode is set, said display control unit selects a kind that the amount of image which has been processed is closer (using the increase and decrease icon or keypad to adjust the limit, figs. 17-18) to the upper limit value from among a kind corresponding to the black-and-white mode and a kind corresponding to the color mode (monochrome and color print modes, col. 12, lines 36-45).

Regarding claim 8, Iwase further teaches an apparatus according to claim 6, wherein, in a case where an undecided image processing mode that it is not decided (not all processing modes are selected for processing, figs. 12-18) whether the image input process and the image output process are performed in the black-and-white mode or the color mode is set (color print mode, col. 12, lines 41-42), said display control unit selects, at a time when the black-and-white mode or the color mode is decided, a kind corresponding to the decided mode (col. 12, lines 36-45).

Regarding claim 10, Kato further teaches an apparatus according to claim 1, wherein the information displayed on said display unit includes a value obtained by subtracting (subtract from upper limit value to determine remainder, col. 10, lines 1-3) the managed amount of image from the upper limit value.

Regarding claim 11, Iwase further teaches an apparatus according to claim 1, wherein said second managing unit manages at least the number of images (pages, fig. 23) which has been read by said reading unit, the number of images which has been read by said reading unit and formed by said image forming unit, the number of images (pages

to be printed, fig. 23) which has been received by said communication unit and formed by said image forming unit, and the number of images which has been transmitted by said communication unit.

Regarding claim 12, Iwase further teaches an apparatus according to claim 11, wherein said second managing unit counts (counter as shown in fig. 11) up the number of images which has been transmitted by said communication unit according to a transmission data amount. Kato also teaches a counter for counting up to the number of images (col. 9, lines 56-63).

Regarding claim 13, Kato further teaches an apparatus according to claim 12, wherein said second managing unit obtains the number of images (col. 10, lines 4-19) which has been transmitted by said communication unit by dividing an integrated value of the transmission data amounts by a predetermined data amount.

Regarding claim 14, Iwase further teaches an apparatus according to claim 13, further comprising a third setting unit configured to set the predetermined data amount (number of pages to be printed, fig. 23). Kato also teaches an upper limit values of amount of image allowed to be printed (col. 2, lines 35-37, and col. 3, lines 25-27, and col. 7, lines 16-20).

Regarding claim 15, Kato further teaches an apparatus according to claim 1, further comprising a first notification unit configured to, in a case where the managed amount of image corresponding to the image processing mode set by said first setting unit has reached its upper limit value (col. 2, lines 35-37, and col. 3, lines 25-27, and col. 7, lines 16-20), notify a user that an image process intended by the user cannot (col. 9, lines 27-62) be performed.

Regarding claim 16, Kato further teaches an apparatus according to claim 15, wherein, even in the state that any of the managed amount of image has reached its upper

limit value (col. 2, lines 35-37, and col. 3, lines 25-27, and col. 7, lines 16-20), an image process which does not correspond the kind that the managed amount of image has reached its upper limit value can be performed (col. 11, lines 3-26).

Regarding claims 20-21 recite limitations that are similar and in the same scope of invention as to claim 1 above; therefore, claims 20-21 are rejected for the same rejection rationale/basis as described in claim 1.

Regarding claim 59, Kato further teaches an apparatus according to Claim 1, wherein said second managing unit manages amount of image which has been processed in each of the plural kinds in unit of the number of pages (col. 2, lines 35-37, and col. 3, lines 25-27, and col. 7, lines 16-20).

Allowable Subject Matter

Claims 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations [limitations as cited in claim 17, see below for details] of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The combined cited prior arts (Iwase et al (US 6724492); Kato et al (US 5956557) of record teach an image processing apparatus for managing upper level limits of number of copies allowed with respect to user's ID, but fail to teach and/or suggest "a fourth setting unit configured to set a numeric value for the image processing mode set by said first setting unit; and a second notification unit configured to calculate a minimum value of the number of images which would be processed based on the image processing mode set by said first setting unit and the numeric value set by said fourth setting unit and, in a case where the managed amount of image would exceed the upper limit value if the image process starts in the setting maintained as it is, notifies the user that the managed amount of image will reach its upper limit value" as claimed in claim 17.

Response to Arguments

- Applicant's arguments filed 1/21/09 have been fully considered but they are not persuasive.

Regarding claims 1, 20, and 21, the applicant argued the cited prior arts of record [Iwase et al (US 6724492); Kato et al (US 5956557)] fail to teach and/or suggest the amended features/limitations "a selecting unit configured to select, from among the plurality of kinds, a kind corresponding to an image input process and a kind corresponding to an image output process, both the kind corresponding to the image input process and the kind corresponding to the image output process being related to the image processing mode set by said first setting unit" and illustrated in fig. 33.

In response, the examiner disagrees. Limitations/features as cited in independent claims do not suggest that the image processing modes are "COPY" or "TRANSMISSION" modes. Furthermore, limitations/features as cited in independent claims do not suggest input/output processes as shown in fig. 33 (e.g. if "COPY" is set as the image processing mode, "READ ORIGINAL NUMBER COUNTER" and "OWN APPARATUS IMAGE OUTPUT NUMBER COUNTER" are selected). The examiner herein broadly interprets image processing modes as "color" or "monochrome" processing modes, and wherein each mode includes input processes (e.g. density or color saturation settings, fig. 18) and output processes (e.g. number of pages to be copied, fig. 17) as taught by Iwase.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THIERRY L. PHAM whose telephone number is (571)272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thierry L Pham/
Art Unit 2625